

ROGER P. CROTEAU & ASSOCIATES, LTD.

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LAS VEGAS DEVELOPMENT GROUP, LLC
7

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 ***

11 LAS VEGAS DEVELOPMENT GROUP, LLC,)
12 a Nevada limited liability company,)

13 Plaintiff,)

Case No. 2:15-cv-1128-RCJ-CWH

14 vs.)

15 ROBERTO E. STEVEN, a individual; WELLS)
FARGO BANK NA, a National Banking)
16 Association; NATIONAL DEFAULT)
SERVICING CORPORATION, an Arizona)
17 corporation; GEORGE COOPER, an)
individual; MARIE COOPER, an individual;)
18 SECRETARY OF THE DEPARTMENT OF)
HOUSING AND URBAN DEVELOPMENT, a)
19 federal governmental agency; EVERGREEN)
MONEYSOURCE MORTGAGE COMPANY,)
20 a Washington corporation; US BANK)
NATIONAL ASSOCIATION, a National)
21 Banking Association; DOE individuals I)
through XX; and ROE CORPORATIONS I)
22 through XX,)

23 Defendants.)
24

25 **STIPULATION AND ORDER TO PARTIALLY DISMISS AS TO**
DEFENDANT, SECRETARY OF THE DEPARTMENT
26 **OF HOUSING AND URBAN DEVELOPMENT ONLY**
AND TO WITHDRAW MOTION TO DISMISS

27 COMES NOW Plaintiff, LAS VEGAS DEVELOPMENT GROUP, LLC ("*LVDG*"), and
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1 Defendant, SECRETARY OF THE DEPARTMENT OF HOUSING AND URBAN
2 DEVELOPMENT (“HUD”), by and through their undersigned counsel, and hereby state as
3 follows:

- 4 1. The instant action was filed by the Plaintiff to recover title and possession of real
5 property commonly known as 1901 Fan Fare Drive, Las Vegas, Nevada 89032,
6 Assessor Parcel No. 139-09-216-007 (“the *Property*”).
- 7 2. Pursuant to its Complaint, Plaintiff alleges that a foreclosure sale related to the
8 Property conducted by Wells Fargo Bank, N.A. was void and ineffective and that
9 subsequent transfers of title to the Property were likewise void and ineffective.
10 As a result, Plaintiff claims to continue to be the rightful owner of the Property.
- 11 3. HUD held record title to the Property for a period of time but does not claim any
12 current interest in the Property.

13 Good cause appearing therefor, the parties stipulate and agree as follows:

- 14 1. On October 19, 2015, HUD filed a Motion to Dismiss herein [Doc. #21].
- 15 2. Pursuant to said Motion, HUD moves for the dismissal of Plaintiff’s Second
16 Cause of Action for Unjust Enrichment and Fourth Cause of Action for Slander of
17 Title.
- 18 3. Plaintiff’s Second Cause of Action for Unjust Enrichment and Fourth Cause of
19 Action for Slander of Title shall be dismissed with prejudice as to HUD only.
- 20 4. HUD shall file a Disclaimer of Interest herein, disclaiming any and all interest in
21 the Property. Upon the filing of said Disclaimer of Interest, the parties shall
22 execute and file a Stipulation and Order dismissing the remainder of this action as
23 it relates to HUD.

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- 1 5. HUD shall be bound by any judgment of this Court relating to the rights and title
2 of the various parties in and to the Property.
3 6. HUD shall retain all rights and claims that it may possess against any party to this
4 action.
5 7. HUD's Motion to Dismiss [Doc. #21] shall be withdrawn.

6 Dated this 25th day of November, 2015.

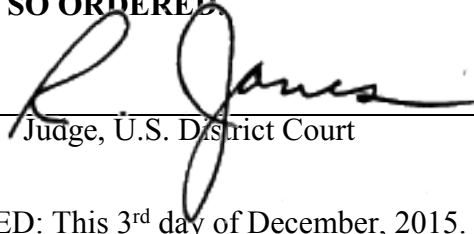
7 ROGER P. CROTEAU &
8 ASSOCIATES, LTD.

UNITED STATES ATTORNEY

9 /s/ Timothy E. Rhoda
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9 /s/ Troy K. Flake
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17 Attorney for Defendant
18 SECRETARY OF THE DEPARTMENT
19 OF HOUSING AND URBAN
20 DEVELOPMENT

21 IT IS SO ORDERED.

22 By: 
23 Judge, U.S. District Court

24 DATED: This 3rd day of December, 2015.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of November, 2015, I served via the United States District Court CM/ECF electronic filing system, the foregoing **STIPULATION AND ORDER TO PARTIALLY DISMISS AS TO DEFENDANT, SECRETARY OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ONLY AND TO WITHDRAW MOTION TO DISMISS** to the following parties:

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/s/ Timothy E. Rhoda
An employee of ROGER P. CROTEAU &
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